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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 White Cap Construction Supply, Inc.,
13 Plaintiff,
14 v.

15 The Domain Name *oceanographical.com*,
16 in rem, TierraNet, Inc., Domain Name
17 Registrar
18 Defendant.

Case No. 07cv2064 WQH (CAB)

Motion to Enter Default Judgment by the
Court [FED. R. CIV. P. 55(b)(2)]

Date: Monday, August 4, 2008
Time: 11:00 a.m.

No Oral Argument Unless Requested by the
Court

19 Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, Plaintiff White Cap
20 Construction Supply, Inc. (White Cap) moves for entry of a default judgment against
21 defendant The Domain Name *oceanographical.com*, in rem, TierraNet, Inc., Domain Name
22 Registrar. The court has entered default. Doc. No. 12.

23 The default judgment seeks a non-monetary judgment. Instead it seeks and order by
24 Internet domain name register TierraNet, Inc. to transfer the domain name whitecap.com to
25 plaintiff. The Anticybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), a section of
26 the Lanham Trademark Act, authorizes this relief.

27 White Cap relies on the accompanying Memorandum of Points and Authorities and
28 the Declaration of Michael Harris.

June 20, 2008

s/Michael D. Harris/

Michael D. Harris (Calif. Bar. No. 59,470)
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Attorney for plaintiffs White Cap Construc-
tion Supply, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2008, I electronically filed the foregoing document using the Case Management/Electronic Case Filing (“CM/ECF”) system, which will send a Notice of Electronic Filing of “Motion to Enter Default Judgment by the Court [FED. R. CIV. P. 55(b)(2)]” to the following CM/ECF participant:

J. Daniel Holsenback and Christopher C. Taylor
Holsenback Taylor
625 Broadway, Suite 906
San Diego, CA 92101

June 20, 2008

s/Michael D. Harris/
Michael D. Harris